

Lucas County LEPC Meeting Minutes Lucas County Emergency Services Building July 16, 2009

Order of Business

Chairman, Ryan Grant brought the meeting to order at 12:15 PM.

- June 6, 2009 minutes approved.
- A quorum of seven of the required thirteen groups was present.

Old Business

- Ryan Grant reported that the By-Laws have been revised and that a copy will be mailed out to all LEPC members for review.
- Ryan Grant reported that new membership applications have gone through the nomination process with the commissioners and will be sent to the SERC. All new applications submitted to the LEPC will now go to the commissioners on a quarterly basis.

Committee Reports

- *Executive Committee:* Ryan Grant reported that the new six-month contract with Mike Frey has been approved and is in effect until December.
- *Training:* Ryan Grant reported the LEPC plans to hold facility workshops in January of 2010.
- *Exercise:* Swanton Fire Chief James Guy has agreed to take over as the chair of the exercise committee.
- *Finance:* Budget report attached. (See table 1)

Mike Frey reported on the current status of the LEPC finances. It is believed that the current trend in compliance receipts and the pending SERC Grant will allow the LEPC to pay back the county's \$20,000 advancement.

Joe Walter suggested that going forward the LEPC pay day-to-day expenses from the SERC Grant and avoid using penalty money, as was the past practice.

- *Grants:* Ryan Grant reported that the SERC Grant might be delayed due to the Ohio Budget Issue.
- *Plan Review:* Ryan Grant reported this year the LEPC will focus on implementing past recommendations to the plan and next year a plan overhaul will occur.

- *Information Coordinator:* No Report
- *Emergency Coordinator:* Michelle Hughes-Tucker reported that Toledo Environmental Services will be holding two upcoming trainings. HazMat IQ will run September 30-October 1, 2009. HazWopER Refresher training will take place October 29, 2009 at Owens Community College. The refresher is free to responders, but there will be a fee for private industry.
- *Public Relations:* Robyn Sigler reported that the next LEPC article will run on the July 26th edition of the Toledo Blade. The article will run cover inspections and disposal of Mercury Light Bulbs.
- *Compliance:* Tony Sloma reported that the subcommittee has discussed recent cases and has made recommendations to the board for approval.
 - Facilities requesting waivers (See Table 2)
 - Reduction of Late Spill Reports (See Table 3)
 - Settlement offer with Delta Fuels. (See Table 4)

Joe Walter thanked Tony Sloma and the Compliance Sub-Committee for all of the work accomplished with the backlog of compliance cases.

New Business

- Ryan Grant reported that there are two outstanding cases at the Lucas County Prosecutor's office currently: Grand Air and Norfolk Southern. Discussion was had on the direction the committee would like to take with these cases. Mike Stack made a motion to have the compliance committee take over both cases from the prosecutor to attempt to reach an agreement. Seconded by Tony Sloma.
- Tom Barnhizer informed the committee that the Toledo MSU US Coast Guard Office has a new Commanding Officer, LCDR Kevin Floyd.
- Chris Herman announced that the BP Husky Refinery will be conducting an exercise on September 9, 2009.

Respectfully submitted,

Michael Frey

Consultant
Lucas County LEPC

Table 1: Budget Report

| | Budgeted | Actual | Projected |
|-----------------------------------|------------------------|----------------|------------------|
| 2008 Carryover | \$ (11,878.70) | \$ (11,878.70) | \$ (11,878.70) |
| Lucas Co. OMB Cash Advance | \$ 20,000.00 | \$ 20,000.00 | \$ 20,000.00 |
| 2009 Beginning Balance | \$ 8,121.30 | \$ 8,121.30 | \$ 8,121.30 |
| 2009 Revenues | | | |
| Grants - Federal | \$ 21,060.00 | \$ - | \$ 19,060.00 |
| Grants - State | \$ 58,476.00 | \$ - | \$ 58,476.00 |
| Other Receipts | \$ 11,000.00 | \$ 22,512.06 | \$ 45,000.00 |
| Total | \$ 90,536.00 | \$ 22,512.06 | \$ 107,536.00 |
| 2009 Expenditures | | | |
| Contract Services | \$ 40,000.00 | \$ 19,999.98 | \$ 40,000.00 |
| Supplies | \$ 200.00 | \$ - | \$ 200.00 |
| Postage | \$ 500.00 | \$ 356.58 | \$ 500.00 |
| Copying | \$ 500.00 | \$ - | \$ 500.00 |
| Telecommunications | \$ 500.00 | \$ 188.18 | \$ 500.00 |
| Training | \$ 5,000.00 | \$ - | \$ - |
| Miscellaneous | \$ 1,615.00 | \$ 1,651.28 | \$ 2,615.00 |
| Equipment | \$ 5,000.00 | \$ - | \$ 5,000.00 |
| Total | \$ 53,315.00 | \$ 22,196.02 | \$ 49,315.00 |
| Balance | \$ 45,342.30 | \$ 8,437.34 | \$ 81,342.30 |
| Balance Less Debt Service | \$ 25,342.30 | \$ (11,562.66) | \$ 61,342.30 |

Table 2: Proposed Waivers

| 2009 Late Tier II | | |
|--------------------------|-------------------------|----------------------|
| Facility | Proposed Penalty | LEPC Decision |
| Hertz Rental Car | \$ 485.00 | Waiver Approved |
| Lakefront Lines | \$ 32.00 | Waiver Approved |
| Maumee Air Associates | \$ 30.00 | Waiver Approved |
| New Mather Metals | \$ 64.00 | Waiver Approved |
| P & J Industries | \$ 30.00 | Waiver Approved |
| Seaway Fuels | \$ 54.00 | Waiver Approved |
| Vienna Junction Landfill | \$ 30.00 | Waiver Approved |

Table 3: Reduction of Penalties

| Facility | Penalty Assessed | Approved Reduction |
|------------------------|-------------------------|---------------------------|
| AD Transport | \$ 5,075.00 | \$ 1,000.00 |
| Keenan Advantage Group | \$ 8,800.00 | \$ 2,000.00 |

Table 4: Settlement Offers

| Facility | Penalty Assessed | LEPC Proposed Counter Offer | Company Proposed Counter Offer | Status |
|-----------------|-------------------------|------------------------------------|---------------------------------------|---------------------------------------|
| Delta Fuels | \$ 805,200.00 | \$ 30,000-\$ 80,000 | \$ 15,000.00 | LEPC Vote to accept Delta Fuels Offer |